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UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

October 27, 2005

NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION
P.O. BOX 506
MERRIFIELD, VA 22116
US

Dear Sir/Madam,

Your refund request for 10709993 in the amount of \$896.00 has been denied.

I cannot refund any money until I hear that the petition was granted. I will however send your letter on to the petitions office.

Sincerely,

ELEANOR KURTZ
Technical Center Others
703 308-9010 x177



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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2005 AUG 26 2005 10:50

Applicant: Sam Shiaw-Shiang Jiang US PATENT & TRADEMARK
Examiner: PHAM, CHI H OFFICE
Filing Date: 06/11/2004 Art Unit: 2661
App. No.: 10/709,993 Docket No.: ASTP0040USA

Title: METHOD OF CONTROLLING A RECEIVER AND A
TRANSMITTER IN A WIRELESS COMMUNICATION SYSTEM
TO HANDLE A TRANSMISSION WINDOW SIZE CHANGE
PROCEDURE

To: Office of Initial Patent Examination
P.O. Box 1450
Alexandria VA 22313-1450

Subject: Status Inquiry - Petition to cancel a duplicate application
created by EFS and to refund the filing fee submitted on
03/21/2005

Dear Sir,

A petition to cancel a duplicate application created by EFS and to refund the filing fee of the above-identified application was submitted on 03/21/2005. This petition could be retrieved from the Image File Wrapper showed on the PAIR system. But the applicant has not received any decision on the aforementioned petition so far. The USPTO has not refunded the filing fee to the Deposit Account No. 50-3105, either.

Please cancel the duplicate application no. 10/709,993 and refund the filing fee \$896 to the Deposit Account No. 50-3105 as soon as possible. Your quickly response will be greatly appreciated.

Respectfully submitted,

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Winston Hsu

Winston Hsu, Patent Agent No. 41,526
P.O. BOX 506, Merrifield, VA 22116, U.S.A.
Voice Mail: 302-729-1562
Facsimile: 806-498-6673
e-mail : winstonhsu@naipo.com

Date: AUG 24 2005

Note: Please leave a message in my voice mail if you need to talk to me. (The time in
D.C. is 13 hours behind the Taiwan time, i.e. 9 AM in D.C. = 10 PM in Taiwan)



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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2005 AUG 26 PM 4:59

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Dep't Ref

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

| | |
|------------------------------|------------------------------------------------|
| US PATENT & TRADEMARK OFFICE | Application Number 10/709,993 |
| | Filing Date 06/11/2004 |
| | First Named Inventor Sam Shiaw-Shiang Jiang |
| | Art Unit 2661 |
| | Examiner Name PHAM, CHI H |
| 3 | Attorney Docket Number ASTP0040USA |

ENCLOSURES (Check all that apply)

| | | |
|----------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation | <input checked="" type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Change of Correspondence Address | <input type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application | <input type="checkbox"/> Landscape Table on CD | |
| <input type="checkbox"/> <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | | |
| Remarks | | |
| <p>Status Inquiry - Petition to cancel a duplicate application created by EFS and to refund the filing fee submitted on 03/21/2005</p> | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|-------------------------------------------------|----------|--------|
| Firm Name | North America Intellectual Property Corporation | | |
| Signature | <i>Winston Hsu</i> | | |
| Printed name | Winston Hsu | | |
| Date | AUG 24 2005 | Reg. No. | 41,526 |

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

| | | | |
|-----------------------|-----------|------|-------------|
| Signature | Alison Wu | | |
| Typed or printed name | Alison Wu | Date | AUG 24 2005 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.